

Attorney Docket No.:

091/010

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Date: November 3, 2003

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Number of pages including cover: 5 (last page marked)

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Transmittal & Response to
Restriction Requirement for

USSN 09/994,440

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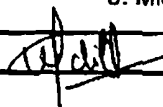
PTO/SB/21 (08-03)


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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/994,440	
	Filing Date	November 26, 2001	
	First Named Inventor	Melissa K. Carpenter, et al.	
	Art Unit	1632	
	Examiner Name	Thai-An N. Ton	
Total Number of Pages in This Submission	3	Attorney Docket Number	091/010C

ENCLOSURES (Check all that apply)		
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<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	1. Response to Restriction Requirement (2 pages)	
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	J. Michael Schliff, Registration No. 40,253	
Signature		
Date	Nov 3/03	

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Signature	
Date	November 3, 2003

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: Melissa Carpenter et al.

Art Unit: 1632

Filing Date: October 23, 2001

Examiner: Thái-An N. Ton, Ph.D.

Serial No: 09/994,440

Docket: 091/010c

Title: TECHNIQUES FOR GROWTH AND
DIFFERENTIATION OF HUMAN
PLURIPOTENT STEM CELLS

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
Alexandria VA 22313

Dear Sir,

This paper is responsive to the Restriction Requirement mailed on October 3, 2003, for which a shortened statutory period for reply is set to expire on November 3, 2003. Accordingly, this paper is timely filed.

Please enter the following remarks.

PATENT
09/994,440
Docket 091/010c

Election of Group for Examination

Claims 1-15 are pending in this application, and subject to a Restriction Requirement under 35 USC § 121 between five species of cell types.

Species "a" (Neural Precursor Cells) is elected for initial examination on the merits.

This election is made without traverse.

Request for Rejoinder:

Claims 1-6 and 11 are generic to all five species of cell types. Claim 7 specifies neural precursor cells, which is a type of neural cell (claim 12). Claims 8-10 and 13-15 recite other claim types.

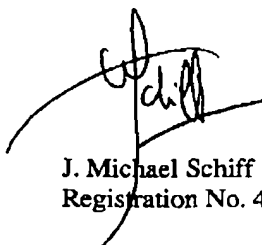
Upon determination that generic claim 1 is free of prior art, applicant requests that the other cell types be rejoined into the group under examination.

Conclusion

Applicant respectfully requests that the application proceed to examination on the merits.

In the event the Examiner determines that an interview would facilitate prosecution of this application, she is invited to contact applicant's representative at the telephone number indicated below.

Respectfully submitted,



J. Michael Schiff
Registration No. 40,253

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November 3, 2003



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